

Title 5

BUSINESS LICENSES, TAXES AND REGULATIONS

Chapters:

5.04 Reserved.

5.08 Taxicabs and Other Vehicles for Hire

Chapter 5.04

RESERVED*

Chapter 5.08

TAXICABS AND OTHER VEHICLES FOR HIRE**

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*Editor's Note: Former chapter 5.04, Business Licenses Generally, previously codified herein and containing portions of Ordinance Nos. 12, 109-88 and 189-91 was repealed in its entirety by Ordinance No. 308-94. See Title 3, Chapter 3, Division IV for business license regulations. **For state law authorizing a city to license and regulate taxicabs, see AS 29.48.035.

5.08.010 Definitions. The terms as used in this chapter shall be defined as follows:

A. "Operator" means any person or entity making application for or holding a public vehicle permit to operate or cause to be operated a public vehicle for hire.

B. "Public vehicle" means taxicabs and driverless vehicles for hire including and not limited to limousine, airport limousine and shuttle buses. (Ord. 7-3-84 (part), 1984: prior code §15.45.10)

5.08.020 Permit—Required. No operator shall operate or cause to be operated a public vehicle without first obtaining all required state licenses and a public vehicle permit from the city to do so. Only one vehicle, which shall be designated on the permit application, may be operated pursuant to each permit issued. (Ord. 7-3-84 (part), 1984: prior code §15.45.20 (part))

5.08.030 Permit—Transfer application. Any permit holder wishing to transfer a public vehicle permit to another person or entity shall apply to the city manager, who shall bring the request before the city council for approval or denial. (Ord. 7-3-84 (part), 1984: prior code §15.45.20 (part))

5.08.040 Permit—Transfer approval. The city council may withhold approval of the transfer of a permit if any reason or condition exists which would warrant refusal to issue a new permit to the transferee. The transfer of a permit need not be approved unless the council, in its sole discretion, first determines that the proposed transferee is fit, willing and able to provide the appropriate services under the permit, that the transfer of the permit is compatible with

public convenience and necessity and is in the best interest of the public, and that the proposed transfer is compatible with all applicable laws, including but not limited to all provisions of this chapter. (Ord. 7-3-84 (part), 1984: prior code §15.45.20(part))

5.08.050 Permit—Application.

A. An application for a public vehicle permit shall be made to the city police chief.

B. An application shall be submitted on a form approved by the city police chief and shall be accompanied by:

1. An application fee of five dollars;
2. A list of drivers who will operate a public vehicle under the public vehicle permit;
3. One glossy photograph, one and one-half inches square, depicting the head and shoulders of each driver;
4. A complete set of fingerprints made by the police department of each driver;
5. Proof that each driver currently holds a valid Alaska driver's license;
6. Proof that the applicant is at least nineteen years old.

C. Any person who has been denied a permit pursuant to this chapter may not apply again for such a permit for a period of one year. (Ord. 7-3-84 (part), 1984: prior code §15.45.30)

5.08.060 Permit—Issuance. The city police chief shall issue a permit if:

A. Each driver has not had a conviction entered by a court of competent jurisdiction within twelve months of:

1. Three moving violations,
2. Reckless driving,
3. Driving while license suspended,
4. Driving while under the influence of intoxicating liquor, drugs or both;

B. Each driver has not had a conviction entered by a court of competent jurisdiction within five years of:

1. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution or accepting money from a prostitute,
2. Sale, transportation or possession of narcotics or dangerous drugs,
3. Any felony or misdemeanor which includes as an element the use or threat of force upon a person,
4. Burglary, larceny or embezzlement;

C. The operator has satisfactory evidence of insurance as set forth in Section 5.08.100 of this chapter;

D. Each representation made in the application is correct. (Ord. 7-3-84 (part), 1984: prior code §15.45.40(A))

5.08.070 Permit—Posting. The permit shall be posted in the interior of the taxicab, limousine or airport limousine as shall be designated by the city police chief. No operator may operate or cause to be operated a taxicab, limousine or airport limousine unless such evidence is posted. (Ord. 7-3-84 (part), 1984: prior code §15.45.40(B))

5.08.080 Permit—Notice of change of driver. Notice of any change of drivers under a public vehicle permit must be provided to the city within fifteen days of such change with the information set forth in Section 5.08.050. (Ord. 7-3-84 (part), 1984: prior code §15.45.40(C))

5.08.090 Permit—Suspension or revocation.

A. All city licenses and permits which may be issued under the provisions of this chapter may be revoked or suspended by the city manager or the police chief, for any of the following reasons:

1. False statement in application;
2. The operator, or his employee or agent found guilty of a violation of any provision of this code or any other law of the state or the United States;
3. Operation of a public vehicle by a driver following the revocation or suspension of his or her Alaska driver's license;
4. Conviction of a crime as set forth in subsections A and B of Section 5.08.060;
5. The operator no longer has the required insurance as set forth in Section 5.08.100 of this chapter;
6. Failure of the operator to provide the information as set forth in Section 5.08.080.

B. The holder of any license or permit which has been suspended or revoked shall surrender it immediately to the chief of police. (Ord. 7-3-84 (part), 1984: prior code §15.45.50)

5.08.100 Insurance.

A. Before any public vehicle permit is issued or transferred, the operator shall furnish evidence of the existence of one or more policies of insurance issued by an insurance company satisfactory to the city, providing liability coverage for the operator in at least the minimum amounts of one hundred thousand dollars per person, three hundred thousand dollars per accident for bodily injury or death, and fifty thousand dollars property damage. This insurance policy shall require the insurer to give written notice to the city at least five days prior to the cancellation, expiration, lapse, or other termination of the insurance coverage.

B. A sign of a type approved by the city manager, stating the limits of insurance liability and other pertinent insurance information shall be posted at all times in a conspicuous place in each public vehicle. (Ord. 7-3-84 (part), 1984: prior code §15.45.60)

5.08.110 Fee charges. Charges and fees shall be by zone as defined by the operator and posted as per Section 5.08.070. (Ord. 124-88 §2, 1988: Ord. 7-3-84 (part), 1984: prior code §15.45.70)

5.08.120 Dispatch office. Each operator shall maintain a dispatch office which shall be open to inspection by an authorized representative of the city during regular business hours and shall have individual telephone service. (Ord. 7-3-84 (part), 1984: prior code §15.45.80(part))

5.08.130 Records.

A. Each taxicab operator shall keep and maintain at all times a complete and accurate record of all drivers employed by him or her, which record will show in detail the names and addresses and the dates of the beginning and termination of employment of the drivers, the hours worked, and a record of all days or nights when each employee was absent from employment. These records shall be open for inspection by the police department at any and all times and shall not be destroyed for a period of three years. Each operator shall file with the police chief at the conclusion of each month's operation a report which shall include the following:

1. Names of drivers now in his employ;
2. Names of all persons beginning or terminating employment during the month covered by the report;
3. List of all taxicabs operated during the month;
4. Any other information the police chief or city manager might require.

B. It shall be the duty of each operator to furnish an adequate number of printed trip sheets to the driver of each taxicab. These trip sheets shall contain blank spaces for the driver's name, his license number, the license number of the taxicab, the date, the time and place at which any passenger engaged the taxicab, the number of passengers, the time and place at which the passengers were delivered to their destination, the amount of fare received, plus any further information that may be required by the city manager. It is the duty of both the operator and driver to insure that the trip sheets are properly filled out. The trip sheet shall be returned to the operator, who shall file them consecutively by date and retain them as permanent records for a period of not less than three years. The trip sheets shall be open for inspection by the police department at any and all times. (Ord. 7-3-84 (part), 1984: prior code §15.45.80(part))

5.08.140 Refusal to carry passengers. No operator or driver shall refuse or neglect to convey any orderly person tendering the proper fare unless previously engaged or unable or forbidden by the provisions of this chapter from doing so. (Ord. 7-3-84 (part), 1984: prior code §15.45.90)

5.08.150 Carrying additional fares when taxicab is occupied. When a taxicab is occupied or hired, it shall be unlawful for the driver to transport or offer to transport any additional party for a separate fare, except with the permission of the original occupant. (Ord. 7-3-84 (part), 1984: prior code §15.45.100)

5.08.160 Refusal to pay fares. It shall be unlawful for any person to refuse to pay the legal fare of a public vehicle, after having hired the same, or to hire the vehicle without possessing the money with which to pay the fare or being able to obtain it at the termination of the trip. (Ord. 7-3-84 (part), 1984: prior code §15.45.110)

5.08.170 Promulgation of rules and regulations. The city manager is empowered to promulgate rules and regulations, and to make determinations as to the existence of facts, in order to carry out the purpose and the enforcement of this chapter. (Ord. 7-3-84 (part), 1984: prior code §15.45.120)